

REMARKS

The application previously contained 34 claims of which 4 were independent. The application presently contains 18 claims of which 2 are independent. Claims 10-15 have been reinstated as applicant believes that the amendment to claim 4 in response to the Examiner's remarks creates an allowable generic claim 4 from which claims 10-15 depend.

Claims 1-3 have been amended herein to recite a different scope of structure which applicant believes distinguishes his invention, when first viewed in regards to Species I, over the cited prior art.

Claim 4 has been amended into independent form by incorporating the limitations of previous claims 1-3 and further amended to avoid the antecedent issue. Claims 5-15 depend from claim 4. It is urged that now amended independent claim 4 is generic to Species I (Figs. 1-24) and to Species II (Figs. 25-32) to Species III (Figs. 33-40) and to Species IV (Figs. 45-57). In this regard, the pawl tail is not defined in its shape, nor is the living spring defined as to how many "folds" it has. The living spring can take any of the shapes of Species I - IV. The camming structure, which extends between the central wall is not defined in its shape. It can be the diagonal camming surface of the lid cover (Species I) or the bar between the central walls (Species II and IV) or the wall between the central walls (Species III). There are no limitations on the lid (housing) being one piece as in Species I - III, or of two pieces as in Species IV. Lastly, there are no limitations going to the differences in the lid compartments, the cover with a slot or not, or the perpendicular wall V-shaped position tabs or not.

It is urged that independent claim 4 is now ready for allowance and reads on the structure of Species I, II, III and IV.

Claims 1-3 have been amended into a scope which is generic to Species I and other Species. A distinguishing feature of applicant's invention is that his pawl retraction force is applied exterior to the body of his latch and to an exterior surface of his pawl. Applicant's

new and unobvious design permits this approach without interfering with the normal function of the pawl-to-keeper function.

In addition, applicant has provided a low profile and simply implemented latch by incorporating a living hinge integrally formed as a part of his pawl body and which is in line with the pawl body

Previously examined claims 1-3 stood rejected under 35 USC 102(b) as anticipated by Kyle (US 6,460,902). Kyle shows a slam action latch for a hatch or deck. The latch includes a loop-type handle which seats down into his housing and is rotated upwardly 90° to the upright position. The handle has an extension with a camming surface positioned on the opposite side of a pivot from the pull portion of the handle. The housing has a transverse section extending downward to hold a rod shaped activator. When the handle is pivoted up, the rod is pushed down.

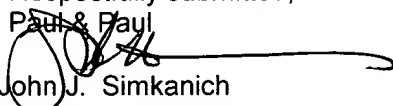
Kyle uses a cup-like "striker" element 60 as his keeper engagement member of his pawl assembly. The downward movement of the rod on the inside of the cup-like striker forces it into the housing. The rod is biased to the up position. The cup-like striker is biased to the outward position. Biasing is done with distinct compression springs. The entire Kyle structure is enclosed in his housing.

Claims 1-3 as amended herein above clearly distinguish over Kyle. Applicant's feature of having his actuator act upon the exterior of his pawl at a location proximate the keeper engagement is neither shown nor suggested in the prior art. Applicant's feature of a living hinge is neither shown nor suggested in the prior art. The fact that applicant's living hinge is in line with his pawl body is also not shown nor suggested by the prior art.

For all of the above, it is urged that amended claims 1-3 be considered allowable. It is further requested that amended claims 4-15 also be considered allowable and that applicant be given an opportunity to reinsert dependent claims reading on the non-elected species.

Date: 8/25/03

Respectfully submitted,
Paul & Paul

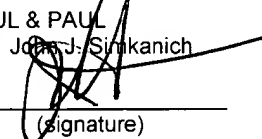
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